

IC 21-1-5.1

Chapter 5.1. Advancement From the Common School Fund for Certain Anticipated Transfer Tuition Costs

IC 21-1-5.1-1

"School corporation" defined

Sec. 1. Unless otherwise provided, as used in this chapter, "school corporation" has the meaning set forth in IC 20-10.1-1-1.

As added by P.L.28-1992, SEC.13.

IC 21-1-5.1-2

Advancement from common school fund in anticipation of certain transfer tuition

Sec. 2. To assist a school corporation in providing the school corporation's educational program to a student placed in a facility or home as described in IC 20-8.1-6.1-5(a) or IC 20-8.1-6.1-5(b) and not later than October 1 of each school year, the Indiana state board of education may advance money from the common school fund to a school corporation in anticipation of the school corporation's receipt of transfer tuition for students described in IC 20-8.1-6.1-5(a) or IC 20-8.1-6.1-5(b) in an amount not to exceed the STEP TWO amount of the following formula:

STEP ONE: Estimate for the current school year the number of students described in IC 20-8.1-6.1-5(a) or IC 20-8.1-6.1-5(b) that are transferred to the school corporation.

STEP TWO: Multiply the STEP ONE amount by the school corporation's prior year per student transfer tuition amount.

As added by P.L.28-1992, SEC.13.

IC 21-1-5.1-3

Qualifying duties

Sec. 3. (a) To qualify for an advancement under this chapter, a school corporation shall do the following:

- (1) Certify to the Indiana state board of education the information described in section 2 of this chapter.
- (2) Request from the Indiana state board of education the anticipated amount of transfer tuition not to exceed the amount described in section 2 of this chapter.
- (3) Guarantee full repayment of the advancement by agreeing to have:
 - (A) one-half (1/2) of the amount of the advancement deducted from the monthly distribution of state tuition support received by the school corporation six (6) months after the advancement is made, with interest at the rate of four percent (4%); and
 - (B) the balance of the amount of the advancement deducted from the monthly distribution of state tuition support received by the school corporation twelve (12) months after the advancement is made, with interest at the rate of four percent (4%).

(b) The deducted amounts shall be transferred by the Indiana state board of education to the common school fund.

As added by P.L.28-1992, SEC.13. Amended by P.L.277-1993(ss), SEC.116.

IC 21-1-5.1-4

Interest expense; reimbursement

Sec. 4. A school corporation receiving an advancement under this chapter shall notify the school corporation or auditor of state from which the school corporation receives transfer tuition under IC 20-8.1-6.1 for students described in IC 20-8.1-6.1-5(a) or IC 20-8.1-6.1-5(b) of the amount of interest withheld under section 3 of this chapter. The school corporation or auditor of state shall reimburse the school corporation for the interest expense at the same time the transfer tuition is paid.

As added by P.L.28-1992, SEC.13. Amended by P.L.36-1994, SEC.36.

IC 21-1-5.1-5

Nature of school corporation's obligation regarding advancements

Sec. 5. (a) A school corporation's obligation to repay the advancement may not be construed to be diminished or otherwise affected if the school corporation in which the student has legal settlement fails to pay the transfer tuition as required under IC 20-8.1-6.1 to the transferee school corporation in a timely manner.

(b) An advancement from the common school fund may not be construed to be an obligation of the school corporation within the meaning of the limitation against indebtedness under the Constitution of the State of Indiana.

As added by P.L.28-1992, SEC.13. Amended by P.L.36-1994, SEC.37.